

time has taken on new life, has nearly doubled its product. The people, since statehood, confident of the inherent strength of resources of their great commonwealth and hopeful of the future, have maintained a patient, law-abiding citizenship, which has done credit to their loyalty and preserved the honor, peace and security of the State. The crops have never been more prolific, and prices, though still ruinous because of the demonetization of silver, ranged toward the end of the year slightly higher, enabling many of the farmers to market their products. The yield of the sugar factory was the greatest in its history, being above 9,000,000 pounds, and the promoters of this splendid enterprise, and the people generally, may congratulate themselves that one-half of the granulated sugar consumed in the State is produced at home. The Rio Grande Western railway, with commendable enterprise, has extended its line forty miles further to the south; the reorganization of the Oregon Short Line, now being effected in this city, promises increased advantages to the State; and the great projected lines to the south and west, upon which our future greatness has hung so long, promise immediate inception in the spring. Two of our great mountain streams have been harnessed during the year and the electrical power generated by these enormous and costly plants is available at minimum cost to turn the wheels of our future progress. The silk industry, to which Utah is so well adapted, under the encouragement of a small bounty provided by the last Legislature, began to breathe during the year, and, if the present policy is continued, there is no doubt but that the thousand pounds of cocoons produced last year will soon be followed by the manufacture of raw silk. I urge upon you the importance of doing everything in our power to encourage the growth and development of our various industries. It is what we produce, not what we borrow or import, that will make us independent. Notwithstanding evidences are apparent of an awakening in this respect, the industrial activity of the State is yet far from what it should be. It is well understood that these three great industries of the State, silver, lead and wool, are languishing because of hope of congressional legislation long deferred. If you should deem it appropriate to memorialize Congress to restore silver to the coinage and lead and wool to the former tariff, it will be a pleasure to me to co-operate with you.

The code will be found to contain, under the head of "Irrigation and water rights," provisions that have been long needed in this State and which I especially commend to your favor. The ever-increasing amount of litigation in our courts over water rights is sufficient proof of the need of good laws to replace our insufficient and antiquated provisions on that subject. Briefly recited, the following are some of the important points covered in the code: For the preservation of the rights of original appropriators; for a uniform system of measuring water; for the filing and recording of rights already acquired or that may hereafter be acquired through appropriation and use of water; for the right of way over State lands, and the condemnation of private lands; for the construction of canals, reservoirs, etc., and for the adoption of the California "Wright" irrigation district law, so far as the same is applicable to our conditions. Also for the creation of the office of State engineer, having general supervision of the State waters, and providing that he shall inspect all the plans and specifications for the construction of any reservoir, embankment, or dam having a vertical height of more than eight feet, and also for the inspection of the work

while in progress, with authority to condemn the same or any part thereof, and for penalties in the event of the failure of the owner to conform to such requirements. It is conceded that Utah is the pioneer user of water for irrigation in the United States. Let us so legislate that our laws on this subject will keep pace with our reputation.

Our native forests have never yet received the attention and care their importance demands. The intimate relation between extensive forests in the mountain canyons and plateaus and a bounteous supply of water for irrigation in the valley below, has been demonstrated so often and with such emphasis that the fact should be current in every part of the State, while the amount of native timber has become so limited that its preparation for market has ceased to be legitimate and recognized industry. These are facts which should awaken a concern for the condition, preservation and production of timber in the State. Recognizing, as you must, the close dependence the water supply for farming and other essential industries of the State has upon the existence of mountain forests, your attention should be directed first, perhaps, to what seems at present an imperative precaution, a timber reservation in the Uintah mountains, about the headwaters of the four largest rivers of the State, the Bear, the Weber, the Provo and the Duchesne. Should the Uintah reservation be thrown open to settlement without any restrictive provisions against the lavish and wanton destruction of the forests in those mountains, the prosperous farms and villages that border at least three of these main rivers of the State must suffer and perhaps go into decay. As these mountains with their extensive bodies of timber lie chiefly within the domain of lands belonging to the general government, the first and most feasible, and it may be the only step that can now be taken to secure the preservation of this timber, is that the Legislature memorialize Congress to survey and set aside this region as a timber reservation, or at least such portion of the mountain lands in this region lying above 8,000 feet above sea level. Much of the denuded tracts of mountain land in other parts of the State is rapidly being covered with a new growth of trees which already, to a considerable extent, shades the ground and preserves its porous character, and which will, in a few years, if left unmolested, largely restore the benefits of the original forests. This condition exists about the sources of nearly all the canyons. Many of these young and thrifty trees, especially in side canyons in proximity to the cities and villages, are cut down and sold in the market, notably about the winter holidays, as "Christmas trees," a purpose for which some substitute could be made that would be less inimical to the substantial interests of the community now and hereafter. This matter I would suggest as deserving your attention. Among the most distinctive agencies in forest spoliation is the fire-fiend. It is believed its potency for evil can be greatly lessened by proper legislation. Forest legislation in a state like ours should not only be directed to the preservation of forests and timber, but to the planting of trees and the covering of much of, or most of the valley lands now lying unused, with forest growths. This, it is believed, can be done with an economical use of waste water without much expense and with ultimate profit. To encourage efforts to this end, exemption or partial exemption from taxation would probably be an immediate incentive to secure such an important consummation.

The Constitution of our State (Article XII, Sec. 15) provides that "The Legislature shall pass laws establishing reason-

able maximum rates of charges for the transportation of passengers and freight, for correcting abuses and preventing discrimination and extortion in rates of freight and passenger tariffs by the different railroads and other common carriers in the State, and shall enforce such laws by adequate penalties." Article I, Section 26, of the Constitution provides that "The provisions of this Constitution are mandatory and prohibitory unless by express words they are declared to be otherwise." It is, therefore, unquestionably the imperative duty of the Legislature to pass laws on this important subject, and the code commission, realizing this, has prepared a provision, though the matter of fixing the amount of the rates has not been attempted. It is not my view that any measures be adopted that will so attack transportation revenues as to cause losses in operation or investment, or that will militate against the construction of new railroads now in contemplation; rather let the subject be approached in a spirit of moderation and with the set purpose of first determining if any abuses or unjust discriminations exist, and if it be found that they do, of so framing the law as to correct the evils and to secure the rights of both the corporations and the public.

I have referred elsewhere in this message to the fact that a reorganization of the Oregon Short Line Railway company is in process. It is extremely desirable from every standpoint that the company have its main offices and headquarters located in Utah, and to this end it is represented to me that the laws governing railroad corporations require some amplification, permitting such corporations to own and operate lines of railroad outside the State. I recommend that this enlargement of the general powers of railroad corporations be extended by the enactment of such proper legislation on the subject as you may deem for the best interests of the State.

Incorporated in the code to be submitted to you will be a proposed law, providing for a State board of health, charged with general supervision of the interests of health and life of the people of the State, collection of vital statistics, and supervising a system of registration of births, marriages and deaths. I believe this to be a necessary and advisable measure, and with proper economic limitations as to expenditures, recommend that such board be established.

The fish and game of the State are rapidly being slaughtered. This distressing fact is not so much from the lack of proper legislation as from failure to enforce the laws already had. In my opinion, every peace officer of the State should be specially charged with the duty of detecting and prosecuting violations of this law, and such a strong public sentiment created against the poacher and the giant powder fiend that each will come to be regarded as a sneak thief and a villain. Many excellent and timely suggestions on this subject will be found in the annual report of the State fish and game warden. I am satisfied that if you will provide the sinews, he will carry on such a vigorous warfare against fish and game marauders that they will be glad to surrender. The warden has spent much time and labor in attending to this important public interest, and I commend his recommendations to your serious consideration.

Fort Douglas was established in 1862, and has continuously to date been occupied by United States troops. It is of financial benefit to the State, and desirable from every standpoint, to have these troops quartered here. The post has been improved from time to time so that, with its environments, it has become an attraction of the State which the citizens recognize as their military city, and are impelled to regard with the same